

Subsidiary Legislation made under s.627.

Financial Services Act 2019 (Transitional and Savings Provisions) Regulations 2025

LN.2025/001

Commencement **2.1.2025**

ARRANGEMENT OF REGULATIONS

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Financial Services Act 2019 (Transitional and Savings Provisions) Regulations 2025

In exercise of the powers conferred on the Minister by section 627 of the Financial Services Act 2019, the Minister has made these Regulations—

Title.

1. These Regulations may be cited as the Financial Services Act 2019 (Transitional and Savings Provisions) Regulations 2025.

Commencement.

2. These Regulations come into operation on the day of publication.

Saving and transitional provision: specified regulatory decisions.

3.(1) This regulation applies where—

- (a) a warning notice or similar notice was issued by the GFSC before 10th January 2025 setting out a proposed decision to which section 24(3) of the Act applies; and
- (b) no decision arising from that notice was made by the GFSC before that date.

(2) Any decision in respect of a notice to which sub-regulation (1) applies must be made by the GFSC in accordance with section 24(3) of the Act as that section applied immediately before 10th January 2025.

Transitional provision: non-executive directors.

4.(1) This regulation applies to an RI firm which was carrying on business immediately before 10th January 2025 in compliance with Part 8 of the Act as it then applied.

(2) An RI firm to which sub-regulation (1) applies which on 10th January 2025 has not appointed one or more—

- (a) non-executive directors in accordance with paragraph 2(1) or (3) of Schedule 15 to the Act; or
- (b) non-executive directors to perform the regulated functions reserved to such directors by paragraph 4(1) of Schedule 15 to the Act,

as those provisions apply to the firm from that date, may continue to carry on business on and after that date but must take appropriate steps to make any appointment required by those provisions as soon as practicable and in any event before 1st August 2025.

Acquired rights: non-executive directors.

5.(1) This regulation applies to an individual—

- (a) who is a non-executive director of an RI firm which is required by paragraph 2(1) of Schedule 15 to the Act to appoint one or more non-executive directors who must be regulated individuals; and
- (b) who was appointed as a non-executive director of the RI firm before 10th January 2025.

(2) Subject to sub-regulations (3) to (5), an individual to whom sub-regulation (1) applies is to be treated on or after 10th January 2025 as a regulated individual approved by the GFSC in accordance with section 93 of the Act to act as a non-executive director.

(3) As soon as practicable after 10th January 2025 an RI firm must—

- (a) notify the GFSC of the name and responsibilities of any non-executive director of the firm to whom sub-regulation (1) applies; and
- (b) provide the GFSC with such other information concerning the non-executive director as it may reasonably require.

(4) An individual is not to be treated as approved under sub-regulation (2) until—

- (a) the RI firm has complied with sub-regulation (3) to the GFSC's satisfaction; and
- (b) the GFSC has confirmed in writing that the individual is to be treated as approved.

(5) The GFSC may exercise the power under section 97(2) of the Act to impose on an individual to whom sub-regulation (2) applies such conditions as it considers appropriate and desirable to advance one or more of its regulatory objectives.

Saving and transitional provision: change of control.

6.(1) This regulation applies where—

- (a) the GFSC received a completed notice under section 111 of the Act before 10th January 2025; and

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- (b) no decision arising from that notice was made, or is treated as having been made, by the GFSC before that date.
- (2) Any decision in respect of a notice to which sub-regulation (1) applies must be made by the GFSC in accordance with Part 9 of the Act as it applied immediately before 10th January 2025.